

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

*In the Matter of*

Amendment of Sections 90.20 and 90.175 of the	)	WT Docket No. 02-285
Commission's Rules for Frequency Coordination	)	RM-10077
of Public Safety Frequencies in the Private Land	)	
Mobile Radio Below-470 MHz Band	)	

**COMMENTS OF  
BERGEN COUNTY, NEW JERSEY**

The County of Bergen, New Jersey, through its Police Department, submits these comments in response to the Commission's Notice of Proposed Rulemaking (NPRM) addressing the Amendment of Sections 90.20 and 90.175 of its Rules for Frequency Coordination of Public Safety Frequencies in the Private Land Mobile Radio below the 470 MHz Band.

**Summary**

Bergen County supports the proposal of the Association of Public-Safety Communications Officials-International, Inc. (APCO). The Commission should modify the existing frequency coordination structure for the Public Safety Pool below 470 MHz by bringing competition to the frequency coordination process. This change will accrue to the benefits of users of the system-- applicants and licensees-- and to the public in general because choice will lead to better and more effective frequency coordinator services. It will increase the accountability of frequency coordinators.

## **Bergen County, New Jersey**

Bergen County is New Jersey's largest county. The County operates radio systems on low band, high band UHF T band and a mobile data system on 800 MHz. Its systems operate in the highly congested New York metropolitan area where there is not adequate spectrum for public safety or commercial operations.

Responding to the September 11, 2001 attack, Bergen County commenced a substantial capital project to modernize its communications systems to provide all county agencies the ability to communicate with one another. With corporate headquarters, major transportation facilities, a major sports venue (Giants Stadium, Continental Airlines Arena and the Meadowlands Racetrack) and industrial plants all located in the County, emergency service response to its residential and commuter population presents substantial challenges. These responsibilities have faced significant increased demands since September 11, 2001. The County's capital project will improve the ability of the County to communicate dependably from person to person, and an efficient frequency coordination system is a critical part of ensuring that the new system will meet the increased demands imposed on public safety communications.

The County's law enforcement activities encompass broad operations from assisting citizens in need to undercover operations. The County's cross roads location, large population and significant commuter presence impose significant daily challenges to its law enforcement and public safety responsibilities. The Bergen County Police Department provides the complete range of law enforcement and public safety services; with specialized units ranging from bomb detection to hazardous materials to a canine

unit. It is one of the few law enforcement agencies in the State with such comprehensive capability to respond to the range of emergency circumstances throughout the region.

### **Spectrum Administration Will Be Improved By Bringing Competition to the Frequency Coordinator Process**

Expanding the number of entities permitted to carry out the responsibilities of frequency coordinator will accrue to the benefit of those who use these services. It will improve the administration of the spectrum. A system that allows only one provider to perform the frequency coordinator function ensures bifurcated and insulated processes that thwart efficiencies.

The Commission should recognize that the present structure represents a monopoly environment, where not only do the consumers – applicants and licensees - have no choice but reflects a system slow to change and is more costly to the users who must finance it and the public who depends upon its efficient functioning. The present system does not offer any real recourse to the applicant or licensee who is dissatisfied with a coordinator's performance. Introducing competitive elements will enhance access to information, the system's technical capability, and expedite service while allowing the myriad practices and procedures of discrete public safety plans and systems to be respected.

The Commission, frequency coordinators, public safety agencies, and the public continue to face limited availability of spectrum but increased demand for it, as well as amplified complexities that accompany such an environment. The frequency coordinator process has a major responsibility in confronting these challenges. Limiting licensees and applicants to one provider detaches each constituency and stifles the system's ability to confront these challenges.

The APCO proposal will promote a transparent structure where information is more readily accessible and no longer the province of one coordinator. It will increase significantly the Commission's ability to obtain information regarding licensees and applications. It will provide incentives for all frequency coordinators to move to more universal information systems consistent with the Commission's efforts to enhance its electronic licensing and information system, the universal licensing system.

## **Conclusion**

The Commission should embrace the objectives of bringing about a more efficient and effective frequency coordination system that preserves its integrity by affording

choice to licensees and applicants. The Commission should move expeditiously to bring competition to the frequency coordination process in public safety communications and by doing so improve tangibly the administration of the spectrum.

Respectfully submitted,

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December 5, 2002

## **CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Comment was served on this  
December 5, 2002, by first-class, postage prepaid, upon each of the following persons:

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\*Indicates service by hand to the Commission's hand-delivery filing location at  
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